

### COMMENTS

The enclosed is responsive to the Notice of Allowance mailed 11/14/08 and is being filed pursuant to a Request for Continued Examination as provided under 37 CFR 1.114. By way of the present communication: 1) claims 1 -25 and 31-33 have been canceled; 2) claims 26, 28 -30, 34, and 36 have been amended; and 3) new claim 37 has been added. As such claims 26-30 and 34-37 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

The present RCE was prompted by paragraph [0050] and Fig. 5 of US Pub. Pat. App. No. 2003/0005173 (hereinafter, "Shah") in view of the claim amendments submitted last July directed to filtering. The Shah reference is of record in co-pending application number 10/749,615 and is presently cited by way of an information disclosure statement.

The Applicants respectfully request allowance of all claims now presented.

### CONCLUSION

For the reasons provided above, applicant respectfully submits that the current set of claims are allowable. If the Examiner believes an additional telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Rob O'Rourke at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 2/17/2009

/David F. Nicholson/

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